

ORIGINAL

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

RIVERKEEPER, INC., NATURAL  
RESOURCES DEFENSE COUNCIL,  
WATERKEEPER ALLIANCE, INC.,  
SOUNDKEEPER, INC., DELAWARE  
RIVERKEEPER NETWORK, AMERICAN  
LITTORAL SOCIETY, RARITAN  
BAYKEEPER, INC. d/b/a NY/NJ BAYKEEPER,  
SAVE THE BAY – PEOPLE OF  
NARRAGANSETT BAY, FRIENDS OF CASCO  
BAY, SANTA MONICA BAYKEEPER, INC.,  
SURFRIDER FOUNDATION,  
MASSACHUSETTS PUBLIC INTEREST  
RESEARCH GROUP, INC.

Plaintiffs,

vs.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY and STEPHEN L.  
JOHNSON, in his official capacity as  
Administrator of the United States Environmental  
Protection Agency,

Defendants.

Civil Action No. 06 CV 12987  
ECF case

UNOPPOSED  
MOTION TO ADMIT COUNSEL  
PRO HAC VICE

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S.D. OF N.Y.

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the  
Southern and Eastern Districts of New York, I, Reed Super, a member in good standing of the  
bar of this Court, hereby move for an Order allowing the admission pro hac vice of

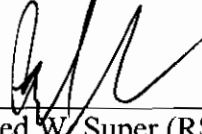
Joseph Mann  
National Environmental Law Center  
369 Broadway, Suite 200  
San Francisco, CA 94133 (415) 622-0086, x306  
(415) 622-0016 (fax)

Joseph Mann is a member in good standing of the Bar of the States of California (active) and Massachusetts (inactive). There are no pending disciplinary proceedings against Joseph Mann in any State or Federal court. I am submitting herewith the Affidavit of Reed Super in Support of this Motion.

Dated: New York, NY  
February 14, 2007

Of Counsel:  
P. Kent Correll, Esq. (PC-2609)  
300 Park Avenue, 17<sup>th</sup> Floor  
New York, NY 10022  
212-475-3070  
212-475-2378 (fax)

Respectfully submitted,



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Reed W. Super (RS-3615)  
Environmental Law Clinic  
Columbia University School of Law  
435 West 116<sup>th</sup> Street  
New York, NY 10027  
(212) 854-3365  
(212) 854-3554 (fax)

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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**AFFIDAVIT OF REED W. SUPER  
IN SUPPORT OF UNOPPOSED  
MOTION TO ADMIT COUNSEL  
PRO HAC VICE**

Reed W. Super, being duly sworn, hereby deposes and says as follows:

1. I am the Staff Attorney at the Columbia University School of Law Environmental Law Clinic and counsel for Plaintiffs Riverkeeper, Inc., Natural Resources Defense Council, Waterkeeper Alliance, Inc., Soundkeeper, Inc., Delaware Riverkeeper Network, American Littoral Society, Raritan Baykeeper, Inc. d/b/a NY/NJ Baykeeper, Save the Bay—People for Narragansett Bay, Friends of Casco Bay, Santa Monica Baykeeper, Inc., and Surfrider Foundation in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in

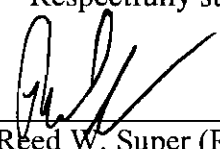
support of Plaintiffs' unopposed motion to admit Joseph Mann as counsel pro hac vice to represent Plaintiff Massachusetts Public Interest Research Group, Inc. in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 2000. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Joseph Mann since 2006.
4. Mr. Mann is a Staff Attorney at the National Environmental Law Center in San Francisco, CA.
5. I have found Mr. Mann to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Joseph Mann, pro hac vice.
7. I have consulted with counsel for all parties in this matter and each has stated that she/he does not oppose this motion.
8. I respectfully submit a proposed order granting the admission of Joseph Mann, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Joseph Mann, pro hac vice, to represent Plaintiff Massachusetts Public Interest Research Group, Inc. in the above captioned matter, be granted.

February 14, 2007  
New York, NY  
Notarized:

  
**MARY MARSH ZULACK**  
Notary Public, State of New York  
No. 02ZU5007710  
Qualified in Kings County  
Commission Expires February 1, 2007

Respectfully submitted,  
  
Reed W. Super (RS-3615)

UNITED STATES DISTRICT COURT  
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Defendants.

Civil Action No. 06 CV 12987  
ECF case

**ORDER FOR ADMISSION  
PRO HAC VICE  
ON WRITTEN UNOPPOSED  
MOTION**

Upon the motion of attorney for and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Joseph Mann  
National Environmental Law Center  
369 Broadway, Suite 200  
San Francisco, CA 94133  
(415) 622-0086, x306  
(415) 622-0016 (fax)  
jmann@nelconline.org

is admitted to practice pro hac vice as counsel for Plaintiff Massachusetts Public Interest Group, Inc. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

February 14, 2007  
New York, NY

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United States District/Magistrate Judge

## COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the second day of June A.D. 2003, said Court being the highest Court of Record in said Commonwealth:

Joseph J. Mann

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court\*.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this sixteenth day of January in the year of our Lord two thousand and seven.



  
MAURA S. DOYLE, Clerk

\* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.



THE  
STATE BAR  
OF CALIFORNIA

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180 HOWARD STREET  
SAN FRANCISCO, CALIFORNIA 94105-1639  
TELEPHONE (415) 538-2000

January 17, 2007

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JOSEPH JOHN MANN, #207968 was admitted to the practice of law in this state by the Supreme Court of California on July 6, 2000; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

J. Robert McPhail  
Custodian of Membership Records



**CERTIFICATE OF SERVICE**

I hereby certify that on this 14th day of February 2007, I caused to be served by electronic mail one copy of the following:

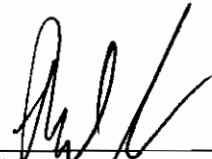
An Unopposed Motion to Admit Counsel Pro Hac Vice for Joseph Mann; and

An Affidavit of Reed Super in Support of this Motion.

on:

Wendy H. Waszmer  
Assistant United States Attorney  
Southern District of New York  
86 Chambers Street, 3rd Floor  
New York, New York 10007  
*Counsel for Defendants*

Russell S. Frye  
3050 K. Street, NW  
Suite 400  
Washington, DC 20007-5108  
*Counsel for Movant for  
Intervention Cooling Water  
Intake Structure Coalition*

  
\_\_\_\_\_  
Reed W. Super